

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHOLEM WEISNER and SHMUEL NEMANOV,)	
)	
Plaintiff and Involuntary Plaintiff,)	Case No.: 23-cv-08186-AKH
)	Case No.: 20-cv-02862-AKH
v.)	
)	
GOOGLE LLC,)	
)	
Defendant.)	
)	
)	

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 1.3 of the Local Rules of the United States Courts for the Southern and Eastern Districts of New York, I, Alan M. Dershowitz, hereby move for an Order for admission to practice Pro Hac Vice to appear as counsel for Plaintiff Sholem Weisner in the above-captioned actions.

I am in good standing of the bars of the State of Massachusetts and with the exception of the matter discussed in my Affidavit, there are no pending disciplinary proceedings against me in any state of federal court. I have never been convicted of a felony. I have never been censured, suspended, disbarred, or denied admission or readmission by any court. I have attached the affidavit pursuant to Local Rule 1.3.

Dated: February 11, 2025

Respectfully submitted,

By: /s/ Alan M. Dershowitz
Alan M. Dershowitz, Esq.
1500 Ocean Drive
Miami Beach, FL 33139
Email: alandersh@gmail.com
Attorney for Plaintiff Sholem Weisner

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHOLEM WEISNER and SHMUEL NEMANOV,)
)
 Plaintiff and Involuntary Plaintiff,)
)
 v.)
)
 GOOGLE LLC,)
)
 Defendant.)
)
)

Case No.: 23-cv-08186-AKH
 Case No.: 20-cv-02862-AKH

**AFFIDAVIT OF ALAN M. DERSHOWITZ IN SUPPORT OF
MOTION FOR ADMISSION PRO HAC VICE**

COMES NOW, Alan M. Dershowitz, having been first duly sworn upon his oath, declares
and states as follows:

1. I am submitting this Affidavit in Support of my Motion for Admission Pro Hac Vice. I have been retained by Plaintiff Sholem Weisner to represent him in this action.

2. I am in good standing of the bars of the State of Massachusetts and with the exception of the matter discussed in this Affidavit below, there are no pending disciplinary proceedings against me in any state or federal court. I have never been convicted of a felony. I have never been censured, suspended, disbarred, or denied admission or readmission by any court.

3. Attached are true and correct copies of Certificate of Good Standing issued within the past 30 days by each state court in which I am a member of the bar, *i.e.*, Massachusetts.

4. As to the matter about a pending disciplinary matter, in my 60 years of being a member of the Massachusetts Bar, I have never had a bar complaint against me until after I defended President Donald Trump on the floor of the Senate against what I believed was an

unconstitutional impeachment. As a result of that legal representation an anti-Trump organization called the 65 Project filed a bar complaint against me. That organization has vowed to file bar complaints against lawyers who have defended Trump's legal rights. No action has been taken by the bar on that complaint.

5. The basis for the complaint is a case I worked on as of counsel to a Minnesota law firm. That firm filed a lawsuit in Arizona challenging the future use of electronic voting machines operated by companies that refuse to disclose the workings of the machines. It did not challenge the results of any past or pending elections. I was retained as a constitutional expert and I wrote one paragraph expressing my constitutional view that when the government delegates an important governmental responsibility, such as vote counting, to a private company, that company must be as transparent as the government would have to be. I spent approximately four hours on the matter and focused only on that issue. I have been the term "of counsel" for more than 50 years in legal proceedings in which I have played a limited role. The judge ruled against the lawsuit and sanctioned the lawyers that brought it by requiring them to pay the legal fees. When the judge was advised of my minor role as of counsel on the case, the judge reduced my portion of the sanction to 10%. The sanctions are now on appeal to the 9th circuit which has had the case under advisement since September 11, 2024.

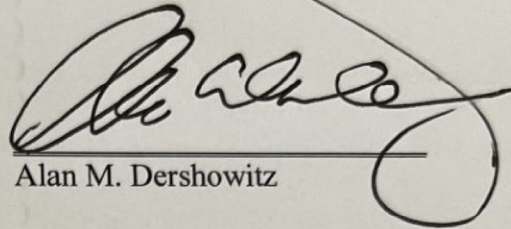
6. Bar counsel in Arizona, where the case was brought, sought to "reprimand" the lead counsel in the case but the court dismissed the application and sided completely with the law firm to which I was of counsel. Arizona bar counsel did not bring any charges against me. I have since been admitted pro hoc vice in Arizona, despite the sanction.

7. I attach as **Exhibit A** true and correct copies of the documents submitted by my counsel in the matter and would be happy to answer, or have my lawyers answer, any questions

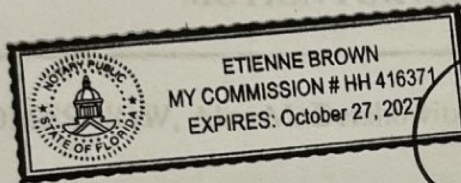
regarding the sanction or the 65 Project bar complaint.

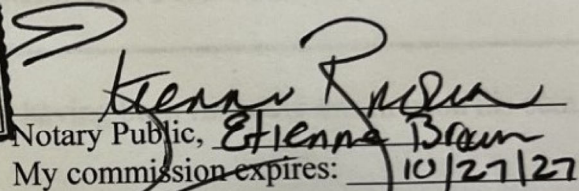
UNDER PENALTIES OF PERJURY OF THE UNITED STATES OF AMERICA, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE AND CORRECT.

Dated: 2/11, 2025


Alan M. Dershowitz

SUBSCRIBED AND SWORN TO before me this 11 day of February, 2025.




Notary Public, Etienne Brown
My commission expires: 10/27/27

and states as follows:

1. I am submitting this Affidavit in Support of my Motion for Admission Pro Hac Vice. I have been retained by Plaintiff Sholem Weisner to represent him in this action.
2. I am in good standing of the bars of the State of Massachusetts and with the exception of the matter discussed in this Affidavit below, there are no pending disciplinary proceedings against me in any state or federal court. I have never been convicted of a felony. I have never been censured, suspended, disbarred, or denied admission or readmission by any court.
3. Attached are true and correct copies of Certificate(s) of Good Standing issued within the past 30 days by each state court in which I am a member of the bar, i.e., Massachusetts.
4. As to the matter about a pending disciplinary matter, in my 60 years of being a member of the Massachusetts Bar, I have never had a bar complaint against me and after I defended President Donald Trump on the floor of the Senate against what I believed was an



The Commonwealth of Massachusetts

SUPREME JUDICIAL COURT

CLERK'S OFFICE FOR THE COUNTY OF SUFFOLK

JOHN ADAMS COURTHOUSE

ONE PEMBERTON SQUARE, SUITE 1300

BOSTON, MASSACHUSETTS 02108-1707

WWW.MASS.GOV/COURTS

Telephone:
(617) 557-1100

General Email:
sjccountyclerk@sjc.state.ma.us

Bar Admission Email:
sjc.mass.bar.admission@jud.state.ma.us

ALLISON S. CARTWRIGHT
CLERK

February 11, 2025

Attorney Alan M. Dershowitz
Alan
1500 Ocean Drive
Miami Beach, FL 33139
alandersh@gmail.com

IN RE: CERTIFICATE OF ADMISSION AND GOOD STANDING

Enclosed please find the Certificate of Admission and Good Standing for Commonwealth of Massachusetts Attorney **Alan M. Dershowitz**. The certificate provides certification of the attorney's date of admission and current good standing at the Bar of the Commonwealth of Massachusetts.

If you have any questions or should need further assistance, please do not hesitate to contact the Attorney Services Department at either sjccertsgs@sjc.state.ma.us or 617-557-1050.

Very truly yours,

A handwritten signature in blue ink that reads "Allison S. Cartwright".

Allison S. Cartwright, Clerk
Supreme Judicial Court for the County of Suffolk

ASC/jr
Clearance: 02/11/2025 02.06.2025
Enclosures

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on **May 22, 1968**,
said Court being the highest Court of Record in said Commonwealth:

Alan M. Dershowitz

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **eleventh** day of **February**

in the year of our Lord **two thousand and twenty-five**.



Allison S. Cartwright

ALLISON S. CARTWRIGHT, CLERK

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification. X3116.

August 28, 2024

Mr Dennis I Wilenchik
Wilenchik & Bartness PC
2810 N 3RD ST
PHOENIX, AZ 85004-1011

**RE: Pro Hac Vice Applicant - Alan M. Dershowitz P236261
Pro Hac Application # 1015301**

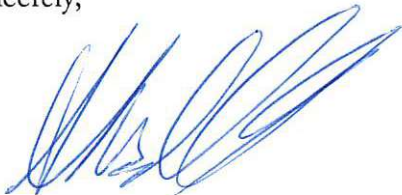
Dear Mr Wilenchik:

Enclosed is the State Bar of Arizona Pro Hac Vice Notice, original verified application and original Certificate of Good Standing(s), pursuant to Ariz. R. Sup. Ct., 39 Admission Pro Hac Vice.

Pursuant to Rule 39(a)(2), a copy of each Order granting or denying the motion as entered by the court, board or administrative agency shall be mailed by local counsel to the State Bar of Arizona, Attention Membership Records.

If you have any questions or need further assistance, please contact me or the Resource Center at (602) 340-7239.

Sincerely,



Shaniece Brazwell
Administrative Assistant III

Ex. A

Maricopa County Superior Court

STATE OF ARIZONA,
Plaintiff

v.

JAMES LAMON,
Defendant.

CASE # CR2024-006850-006

SBA App # 1015301

**NOTICE OF RECEIPT OF COMPLETE
APPLICATION**

NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the verified application and fee from Alan M. Dershowitz.

In addition to this application, applicant has made the following applications to appear pro hac vice, pursuant to Rule 39, within the previous three (3) years:

Title of Matter	Court/ Agency	Date	Granted?
Arizona Republic Party, et al. v Katie Hobbs, et al. ~CLOSED~	Arizona Court Of Appeals	9/29/2022	Y

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good Standing are attached hereto.

DATED this 28th day of August 2024


Shaniece Brazwell
Administrative Assistant III
State Bar of Arizona

Original Mailed on this 28th day of August 2024 to:

Dennis I Wilenchik
Wilenchik & Bartness PC
2810 N 3RD ST
PHOENIX, AZ 85004-1011



Attn: Pro Hac Vice Dept
P.O. Box 842699
Los Angeles, CA 90084-2699
Phone: 602-340-7239

For Official Use Only

App# 1015301Bar Number# 7236261CL 36432\$505.00

Overnight or Hand Delivery:
4201 N. 24th St., Ste 100
Phoenix, AZ 85016-6266

Application for Appearance Pro Hac Vice

PART I: Applicant Information

Name of Applicant: Alan M. DershowitzFirm/Company Name: Self-employedOffice Address: 1575 Massachusetts Ave., Cambridge, MA 02138Telephone: (617) 319-9892Fax: N/AEmail Address: alandersh@gmail.comResidence Address: 1500 Ocean Dr., Miami Beach, FL 33139Title of cause or case where applicant seeks to appear: State of Arizona v. James LamonDocket Number: CR2024-006850-006Court, Board, or Administrative Agency: Maricopa County Superior CourtParty on whose behalf applicant seeks to appear: James Lamon

Pursuant to Arizona Supreme Court Rule 39(a)(2), the applicant shall complete the information below:

Courts to Which Applicant Has Been Admitted:

(Attach additional pages if necessary)

Date of Admission:

Bar Number:

MassachusettsJune 22, 1968
☒ Applicant is a member in good standing in such courts.

☒ Applicant is not currently disbarred or suspended in any court.

Applicant ☒ has been/is ☐ has not/is not (select one) subject to any disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law within the last 5 years. If yes, specify the jurisdiction, nature of investigation and contact information of the disciplinary authority investigating on an additional page.

In the preceding three (3) years, applicant has filed applications to appear as counsel under Ariz. R. Sup. Ct., Rule 39(a) in the following:

Title of Matter:

Docket #:

Court or Agency:

App Granted? (Y/N)

In re Transperfect Global, Inc.C.A. No. 9700-CMDelaware ChanceryYesArizona Republican Party v. Fontes1 CA-CV 22-0388Arizona Court of AppealsYes

This case or cause ☐ is / ☒ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# _____

Page 2

PART II: Local Counsel InformationName of Arizona Local Counsel: Dennis I. WilenchikState Bar of Arizona Number: 005350Address: 2810 N. 3rd St., Phoenix, AZ 85004Telephone: (602) 606-2810Fax: (602) 606-2811Email Address: diw@wb-law.com☒ Local Counsel is a member in good standing.☒ Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.**PART III: Parties and Certification**

Name(s) of each party in this cause and name and address of all counsel of record:

Party:	Counsel of Record:	Address:
<u>State of Arizona, Plaintiff</u>	<u>Kristin Mayes, Nicholas Klingerman,</u>	<u>Arizona Attorney General's Office</u>
<u>State of Arizona, Plaintiff</u>	<u>and Krista Wood</u>	<u>2005 N. Central Ave., Phoenix, AZ 85004</u>
<u>James Lamon, Defendant</u>	<u>Dennis I. Wilenchik</u>	<u>2810 N. 3rd St., Phoenix, AZ 85004</u>
<u>James Lamon, Defendant</u>	<u>Lacy A.N. Cooper</u>	<u>1221 E. Osborn Rd., Ste. 105, Phoenix, AZ 85014</u>

☒ Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$505.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (2)(c) of this rule.☒ Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Ariz. R. Sup. Ct. Rule 46(b).
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.
3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

Verification

STATE OF Massachusetts ^{A.S.} Florida)
 County of Middlesex ^{A.S.} Duval) ss.

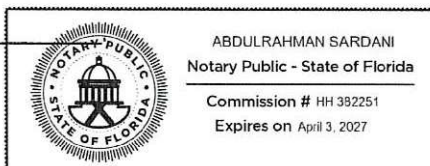
I, Alan Dershowitz, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.Dated: 07/21/2024Applicant's Signature: Alan Morton DershowitzSUBSCRIBED AND SWORN TO before me this 21st day of July, 2024, by

Alan Morton Dershowitz

Alan Morton Dershowitz
 Name of Applicant

ID produced: DRIVER LICENSE

Revised 10/28/20



Abdulrahman Sardani
 Notary Public Abdulrahman Sardani

Notarized remotely online using communication technology via Proof.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on **June 22, 1968**, said Court being the highest Court of Record in said Commonwealth:

Alan M. Dershowitz

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **twentieth** day of **June**

in the year of our Lord **two thousand and twenty-four**.



A handwritten signature in blue ink, reading "Maura S. Doyle".

MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification. X3116.



Dennis I. Wilenchik
diw@wb-law.com

WILENCHIK & BARTNESS
— A PROFESSIONAL CORPORATION —
ATTORNEYS AT LAW

The Wilenchik & Bartness Building
2810 North Third Street Phoenix Arizona 85004

Licensed in Arizona,
Texas, New York,
and the District of
Columbia

Telephone: 602-606-2810 Facsimile: 602-606-2811

July 17, 2024

TO WHOM IT MAY CONCERN:

This letter outlines information and the status of a sanctions order issued by District Judge John Tuchi in federal court in the case of *Kari Lake, et al. v. Adrian Fontes, et al.*, No. CV-22-00677-PHX-JJT (D. Ariz.), as to three attorneys one of whom was Prof. Alan Dershowitz, and subsequent inquiries by the State Bar of Arizona as to that Order, and the status thereof. Prof. Dershowitz was “of counsel” in the foregoing matter for the Plaintiffs and retained by one of the attorneys to consult with his firm on limited issues that we ultimately contended were not the basis of the sanctions ordered as detailed further below.

Mr. Dershowitz was specifically retained for his constitutional law expertise to review the primary issue he was concerned with as to whether a private company acting in a governmental capacity, such as the Dominion Company manufacturing the voting machines to be used in the then upcoming elections, should be subject to the same legal standards as a governmental entity. Dershowitz noted his arrangement as “of counsel” to the Parker law firm acting as primary counsel along with attorney Kurt Olson as well, on the pleadings to distinguish his limited involvement, as he had on many other occasions over his long career. Notwithstanding this, the Court felt compelled to order some sanction against Prof. Dershowitz, although drastically reduced in relation to the two other attorneys, in an effort to deter such involvement in what we contended was an impermissible use of the sanction power under Rule 11 and for an improper purpose to deter political election challenges and freedom of expression. This issue, regarding the wrongful imposition of any sanction imposed on Prof. Dershowitz for his limited role and involvement, is the subject of a pending appeal to the 9th Circuit Court of Appeals.

Following the sanctions order, the State Bar of Arizona, sua sponte, and without any complaint from anyone noted against Prof. Dershowitz in particular, inquired of all counsel involved as to potential ethical rule violations that might be associated with the conduct referenced above. All three counsel independently responded to the Bar and provided transcripts of the hearings before Judge Tucci as well as other pertinent documents and information. Following this inquiry, the Bar proceeded to file formal Complaints before the Arizona Disciplinary Committee against the other two lawyers, but NOT Prof. Dershowitz. The Bar sought a



WILENCHIK & BARTNESS
— A PROFESSIONAL CORPORATION —

Re: Professor Alan Dershowitz
July 16, 2024
Page 2 of 2

confirmation of probable cause to proceed to a formal disciplinary hearing before the Presiding Disciplinary Judge who is appointed by the Supreme Court of Arizona. No such request was made by the Bar as to Mr. Dershowitz that we are aware of, and no similar inquiry was made by the Bar or Committee as to a Bar complaint as to Prof. Dershowitz, and no finding of probable cause was pursued by the Bar, or found by the Committee, and no request was made by the Committee to the Bar to proceed any further with any formal proceeding against Professor Dershowitz. As far as is known, the Bar has not taken any further action as to Mr. Dershowitz since, or proceeded to make any formal complaint against him. On the other hand, the other two lawyers referenced above were formally charged with a Bar Complaint, probable cause was found as to various charges related to their involvement in the foregoing matter, and a formal disciplinary trial was pursued, held and concluded on or about June 27, 2024, the results of which have not been issued yet.

Mr. Dershowitz was listed as a potential witness by the defense in that proceeding, was interviewed by Bar counsel as to his possible testimony to be given, but ultimately he was not actually called as a witness at the hearing, by either the defense or the Bar. Professor Dershowitz to our knowledge has had no Bar complaint in Arizona at all, and we are unaware of any complaint against him in his home state of Massachusetts in his long and distinguished legal career, and we are not aware of any pending intention by the Bar to pursue bar involvement in the matter any further, given the foregoing.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Dennis I. Wilenchik', written in a cursive style.

Dennis I. Wilenchik

Arnold Rosenfeld, Esq.
Arnold Rosenfeld Law, LLC
32 Milford St., No. 2
Boston, MA 02118
617-312-4576
arnierlaw@gmail.com
arnoldrosenfeld.com

STATEMENT OF ARNOLD ROSENFELD, ESQ.

1. I, Arnold Rosenfeld, Esq, have been a member in good standing of the Massachusetts bar since November 1967.
2. I served as the Chief Bar Counsel of the Office of the Bar Counsel of the Supreme Judicial Court of Massachusetts from 1991-1999, and I currently represent respondents before the Office of the Bar Counsel, the Board of Bar Overseers, and the Supreme Judicial Court of Massachusetts.
3. I represent Professor Alan M. Dershowitz, a member of the Massachusetts bar, in a current complaint filed against him in the summer of 2023 at the Office of the Bar Counsel of the Supreme Judicial Court of Massachusetts.
4. The Massachusetts Office of the Bar Counsel received the complaint from an entity named "The 65 Project" which filed complaints against lawyers nationwide who represented former President Donald Trump and his associates and was solely based on a ruling in the U.S. District Court for the District of Arizona, currently on appeal in the 9th Circuit, finding that Professor Dershowitz had violated Federal Rule of Civil Procedure 11.
5. On October 17, 2023, the Chair of the Massachusetts Board of Bar Overseers approved a Joint Motion (by the Office of the Bar Counsel and the Respondent) to Defer the Office of Bar Counsel investigation into the complaint filed against Professor Dershowitz until the underlying case forming the basis of the complaint was resolved in the 9th Federal Circuit Court of Appeals. The oral argument for that case is currently scheduled for the fall 2024 sitting of the 9th Circuit.
6. Notwithstanding the fact that any complaint filed against a lawyer should be taken seriously, in my opinion, it is unlikely that the Office of the Bar Counsel would have agreed to the deferment, and the Chair of the Board of Bar Overseers would not have approved the deferment, if it raised an issue

of a risk to any client. If this case should survive the appellate process and the deferment be ended and the case investigated, we believe we have a strong argument that Professor Dershowitz did not violate the Massachusetts Rules of Professional Conduct.

This Statement is true and accurate to the best of my knowledge.

/s/ Arnold Rosenfeld
Arnold Rosenfeld, Esq.

June 29, 2024



Dennis I. Wilenchik
diw@wb-law.com

WILENCHIK & BARTNESS
— A PROFESSIONAL CORPORATION —
ATTORNEYS AT LAW
The Wilenchik & Bartness Building
2810 North Third Street Phoenix Arizona 85004

Licensed in Arizona,
Texas, New York,
and the District of
Columbia

Telephone: 602-606-2810 Facsimile: 602-606-2811

July 17, 2024

TO WHOM IT MAY CONCERN:

This letter outlines information and the status of a sanctions order issued by District Judge John Tuchi in federal court in the case of *Kari Lake, et al. v. Adrian Fontes, et al.*, No. CV-22-00677-PHX-JJT (D. Ariz.), as to three attorneys one of whom was Prof. Alan Dershowitz, and subsequent inquiries by the State Bar of Arizona as to that Order, and the status thereof. Prof. Dershowitz was “of counsel” in the foregoing matter for the Plaintiffs and retained by one of the attorneys to consult with his firm on limited issues that we ultimately contended were not the basis of the sanctions ordered as detailed further below.

Mr. Dershowitz was specifically retained for his constitutional law expertise to review the primary issue he was concerned with as to whether a private company acting in a governmental capacity, such as the Dominion Company manufacturing the voting machines to be used in the then upcoming elections, should be subject to the same legal standards as a governmental entity. Dershowitz noted his arrangement as “of counsel” to the Parker law firm acting as primary counsel along with attorney Kurt Olson as well, on the pleadings to distinguish his limited involvement, as he had on many other occasions over his long career. Notwithstanding this, the Court felt compelled to order some sanction against Prof. Dershowitz, although drastically reduced in relation to the two other attorneys, in an effort to deter such involvement in what we contended was an impermissible use of the sanction power under Rule 11 and for an improper purpose to deter political election challenges and freedom of expression. This issue, regarding the wrongful imposition of any sanction imposed on Prof. Dershowitz for his limited role and involvement, is the subject of a pending appeal to the 9th Circuit Court of Appeals.

Following the sanctions order, the State Bar of Arizona, sua sponte, and without any complaint from anyone noted against Prof. Dershowitz in particular, inquired of all counsel involved as to potential ethical rule violations that might be associated with the conduct referenced above. All three counsel independently responded to the Bar and provided transcripts of the hearings before Judge Tucci as well as other pertinent documents and information. Following this inquiry, the Bar proceeded to file formal Complaints before the Arizona Disciplinary Committee against the other two lawyers, but NOT Prof. Dershowitz. The Bar sought a



WILENCHIK & BARTNESS
— A PROFESSIONAL CORPORATION —

Re: Professor Alan Dershowitz
July 16, 2024
Page 2 of 2

confirmation of probable cause to proceed to a formal disciplinary hearing before the Presiding Disciplinary Judge who is appointed by the Supreme Court of Arizona. No such request was made by the Bar as to Mr. Dershowitz that we are aware of, and no similar inquiry was made by the Bar or Committee as to a Bar complaint as to Prof. Dershowitz, and no finding of probable cause was pursued by the Bar, or found by the Committee, and no request was made by the Committee to the Bar to proceed any further with any formal proceeding against Professor Dershowitz. As far as is known, the Bar has not taken any further action as to Mr. Dershowitz since, or proceeded to make any formal complaint against him. On the other hand, the other two lawyers referenced above were formally charged with a Bar Complaint, probable cause was found as to various charges related to their involvement in the foregoing matter, and a formal disciplinary trial was pursued, held and concluded on or about June 27, 2024, the results of which have not been issued yet.

Mr. Dershowitz was listed as a potential witness by the defense in that proceeding, was interviewed by Bar counsel as to his possible testimony to be given, but ultimately he was not actually called as a witness at the hearing, by either the defense or the Bar. Professor Dershowitz to our knowledge has had no Bar complaint in Arizona at all, and we are unaware of any complaint against him in his home state of Massachusetts in his long and distinguished legal career, and we are not aware of any pending intention by the Bar to pursue bar involvement in the matter any further, given the foregoing.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Dennis I. Wilenchik', written in a cursive style.

Dennis I. Wilenchik

Arnold Rosenfeld, Esq.
Arnold Rosenfeld Law, LLC
32 Milford St., No. 2
Boston, MA 02118
617-312-4576
arnierlaw@gmail.com
arnoldrosenfeld.com

STATEMENT OF ARNOLD ROSENFELD, ESQ.

1. I, Arnold Rosenfeld, Esq, have been a member in good standing of the Massachusetts bar since November 1967.
2. I served as the Chief Bar Counsel of the Office of the Bar Counsel of the Supreme Judicial Court of Massachusetts from 1991-1999, and I currently represent respondents before the Office of the Bar Counsel, the Board of Bar Overseers, and the Supreme Judicial Court of Massachusetts.
3. I represent Professor Alan M. Dershowitz, a member of the Massachusetts bar, in a current complaint filed against him in the summer of 2023 at the Office of the Bar Counsel of the Supreme Judicial Court of Massachusetts.
4. The Massachusetts Office of the Bar Counsel received the complaint from an entity named “The 65 Project” which filed complaints against lawyers nationwide who represented former President Donald Trump and his associates and was solely based on a ruling in the U.S. District Court for the District of Arizona, currently on appeal in the 9th Circuit, finding that Professor Dershowitz had violated Federal Rule of Civil Procedure 11.
5. On October 17, 2023, the Chair of the Massachusetts Board of Bar Overseers approved a Joint Motion (by the Office of the Bar Counsel and the Respondent) to Defer the Office of Bar Counsel investigation into the complaint filed against Professor Dershowitz until the underlying case forming the basis of the complaint was resolved in the 9th Federal Circuit Court of Appeals. The oral argument for that case is currently scheduled for the fall 2024 sitting of the 9th Circuit.
6. Notwithstanding the fact that any complaint filed against a lawyer should be taken seriously, in my opinion, it is unlikely that the Office of the Bar Counsel would have agreed to the deferment, and the Chair of the Board of Bar Overseers would not have approved the deferment, if it raised an issue

of a risk to any client. If this case should survive the appellate process and the deferment be ended and the case investigated, we believe we have a strong argument that Professor Dershowitz did not violate the Massachusetts Rules of Professional Conduct.

This Statement is true and accurate to the best of my knowledge.

/s/ Arnold Rosenfeld
Arnold Rosenfeld, Esq.

June 29, 2024

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on **June 22, 1968**, said Court being the highest Court of Record in said Commonwealth:

Alan M. Dershowitz

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the

seal of said Court, this **twentieth** day of **June**

in the year of our Lord **two thousand and twenty-four**.



A handwritten signature in blue ink, reading "Maura S. Doyle".

MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification. X3116.